



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Masferrer, J.L.

Serial No.: 10/692,643

Filed: October 24, 2003

Title: ANTIANGIOGENIC COMBINATION THERAPY FOR THE  
TREATMENT OF CANCER

Group Art Unit: 1614

Examiner: R. Cook

Confirmation No.: 8629

Docket No.: 6794F-000032/US/DVK

Client Ref.: 3167/12A/US

**CERTIFICATE OF MAILING**

I certify that this paper, together with any attachments thereto, is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on December 29, 2004.

Susan B. Gawlik

December 29, 2004

Commissioner for Patents  
Mail Stop Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OFFICE ACTION DATED DECEMBER 7, 2004

This paper is responsive to the Office Action dated December 7, 2004 in the above-referenced application, and is submitted within the 1 month shortened statutory period set for reply, accordingly no fee for extension of time is believed payable.

Claims 1-23 are pending in the application. By the present Office Action, Applicant is required under 35 U.S.C. §121 to restrict the claims to Group I or Group II as defined in the Action, and to elect a single disclosed species of COX-2 inhibitor for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

In this regard, Applicant respectfully draws the Examiner's attention to the previous Office Action dated October 4, 2004 and to Applicant's response dated November 4, 2004, in

Serial No. 10/692,643  
6794F-000032/US/DVK (3167/12A/US)  
Response to Office Action dated December 7, 2004  
December 29, 2004

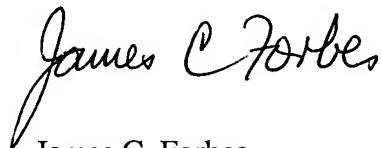
which a species of COX-2 inhibitor, namely celecoxib, was elected without traverse. Applicant hereby confirms this election.

With regard to the restriction requirement, Applicant elects without traverse the method defined in Claims 1-9 and the composition and kit of Claims 11-23, to be examined along with the elected method.

Of the elected claims, the following read on the elected species wherein the COX-2 inhibitor is celecoxib: Claims 1-4, 8, 9, 11-13, 17-19 and 23.

Should any questions remain in relation to the present Office Action, the Examiner is invited to call the undersigned at the telephone number given below.

Respectfully submitted,  
HARNESS, DICKEY & PIERCE, P.L.C.



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